## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Ryan Payne and Victoria Sharp,	)
Plaintiffs,	)
	)
VS.	)
W. Joseph Astarita, individually and	)
in his official capacity as an agent of the FBI	) 2:18-cv-165-MO
<b>Defendants 1X through 6x</b> , individually and	)
in their official capacity as agents of	)
the Oregon State Police, Greg T. Bretzing,	)
individually and in his capacity as	)
an officer of the FBI, <b>Defendants 7x through</b>	)
12x, individually and in their official capacity	)
As officers of the FBI,	)
	)
Defendants.	)

PLAINTIFFS' NOTICE OF THE AVAILABILITY OF PROCESS SERVERS FOR TESTIMONY BY TELEPHONE REGARDING SERVICE OF PROCESS UPON DEFENDANT ASTARITA

COMES NOW Plaintiffs Payne and Sharp, who give notice to the Court regarding the availability of process servers John Lamb and James Manship for the upcoming hearing on Defendant Astarita's Motion to Dismiss for failure to serve.

- 1. Plaintiffs' counsel has contacted both process servers, John Lamb of Bozeman, Montana and James Manship of Richmond, Virginia regarding today's (May 6, 2019) oral argument.
- 2. Both Mr. Lamb and Mr. Manship will be available by telephone to testify regarding their efforts to serve the complaint upon Defendant W. Joseph Astarita.
- 3. James Manship's telephone number is (703) 909-4850.
- 4. John Lamb's telephone number is (406) 548-1622.

IN THE EVENT THAT the Court's resolution of Defendant's motion turns on facts relating to the efforts and observations of either Manship or Lamb, Plaintiffs request an opportunity to proffer and examine these two process servers before the Court.

RESPECTFULLY SUBMITTED,

/s/ Roger I. Roots, esq.

Pro hac vice attorney for Plaintiffs Payne and Sharp

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## CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2019, I electronically filed the foregoing Motion with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing to (NEF) to all parties of record in this case.

By: /s/ Roger I. Roots

Roger Roots

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